UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

IN RE: IMAGE TRENDS, INC.,

§ §

CASE NO. 14-11583-TMD

Debtor.

§ INVOLUNTARY CHAPTER 7

## **MOTION TO CONVERT CASE TO CHAPTER 11**

## A MOTION TO EXPEDITE HAS BEEN FILED

TO THE HONORABLE TONY M. DAVIS, U.S. BANKRUPTCY JUDGE:

Image Trends, Inc. ("**Debtor**"), debtor in the above-captioned bankruptcy case, files this Motion to Convert Case to Chapter 11 (the "**Motion**"), and would respectfully show as follows:

- 1. An involuntary petition for relief under chapter 7 of title 11 of the United States Code (the "Bankruptcy Code") was filed against Debtor on October 24, 2014.
  - 2. Debtor remains in possession of its estate.
- 3. Debtor is eligible to be a debtor under chapter 11 of the Bankruptcy Code and desires to convert this case to a case under chapter 11 of the Bankruptcy Code. The relief requested by Debtor is permitted pursuant to section 706(a) of the Bankruptcy Code.
- 4. This case has not been converted previously under any chapters of the Bankruptcy Code.
- 5. Debtor requests that this relief be granted as of the date this Motion is filed, or if the order converting is entered after that date, that the relief be effective *nunc pro tunc* to that date. This relief is requested in order to facilitate the coordination of numerous motions and agreements that are based on the precise date of the entry of the order for relief. The Court may grant such relief because conversion of a case pursuant to section 706(a) of the Code is expressly

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exempted from the contested matter requirements of Rule 9014 of the Federal Rules of Bankruptcy Procedure. *See* Fed. R. Bankr. Pr. 1017(f)(9).

**WHEREFORE**, Debtor requests the Court grant the Motion, convert Debtor's case to chapter 11, and grant Debtor such other relief as to which it may show itself to be entitled.

Dated: January 21, 2015 Austin, Texas

Respectfully submitted,

By: /s/ Morris D. Weiss

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PROPOSED ATTORNEYS FOR IMAGE TRENDS, INC.

## **CERTIFICATE OF SERVICE**

I hereby certify that the above and foregoing document has been served upon all parties on the attached service list via the method indicated on January 21, 2015.

/s/ Morris D. Weiss
Morris D. Weiss

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